No. 22O137	
Title:	**Montana, Plaintiff** **v.** **Wyoming and North Dakota**
Docketed:	February 2, 2007
Lower Ct:	
Questions Presented	

DATE	PROCEEDINGS AND ORDERS
Jan 30 2007	Documents filed with the Special Master are available at www.stanford.edu/dept/law/mvn/
Jan 31 2007	Motion for leave to file a bill of complaint filed.
Apr 03 2007	Brief of respondent Wyoming in opposition filed.
Apr 16 2007	Reply of Montana, Plaintiff filed. (Distributed)
Apr 17 2007	DISTRIBUTED for Conference of May 10, 2007.
May 14 2007	The Solicitor General is invited to file a brief in this case expressing the views of the United States.
Jan 02 2008	Brief amicus curiae of United States filed.
Jan 16 2008	DISTRIBUTED for Conference of February 15, 2008.
Feb 19 2008	The Motion for leave to file a bill of complaint is GRANTED. Wyoming is allowed 45 days within which to file a motion to dismiss, in the nature of a motion under Rule 12(b)(6), Federal Rules of Civil Procedure. The plaintiff is allowed 30 days to file a response to the motion. A reply, if any, shall be filed within 10 days after the response is filed.
Apr 02 2008	The briefing schedule is extended to reflect the following due dates: Wyoming's motion to dismiss due April 4, 2008; amici briefs supporting Wyoming due April 25, 2008; Montana's response due May 9, 2008; amici briefs supporting Montana due May 16, 2008; Wyoming's reply due May 27, 2008.
Apr 04 2008	Motion to Dismiss Bill of Complaint filed by respondent Wyoming (CL Page 158)

Apr 25 2008	Motion for leave to file amicus brief filed by Anadarko Petroleum Corporation.
May 09 2008	Response to Wyoming's Motion to Dismiss Bill of Complaint from Montana, Plaintiff filed.
May 16 2008	Brief amicus curiae of United States filed.
May 16 2008	Brief amicus curiae of Northern Cheyenne Tribe filed.
May 27 2008	Reply of respondent Wyoming in support of its Motion to Dismiss Bill of Complaint filed.
Jun 03 2008	Motion DISTRIBUTED for Conference of June 19, 2008.
Jun 11 2008	Motion DISTRIBUTED for Conference of September 29, 2008.
Oct 06 2008	DISTRIBUTED for Conference of October 10, 2008.
Oct 14 2008	DISTRIBUTED for Conference of October 17, 2008.
Oct 20 2008	Motion to Dismiss Bill of Complaint referred to the Special Master.
Oct 20 2008	Motion for leave to file amicus brief filed by Anadarko Petroleum Corporation referred to the Special Master.
Oct 20 2008	BARTON H. THOMPSON, Esquire, of Stanford, California, is appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings, to direct subsequent proceedings, to summon witnesses, to issue subpoenas, and to take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit Reports as he may deem appropriate. The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic and clerical assistants, the cost of printing his Reports, and all other proper expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.
Jul 01 2009	Motion for allowance of fees and expenses filed by Special Ma (CL Page 162)
Jul 15 2009	Motion DISTRIBUTED for Conference of September 29, 2009.
Oct 05 2009	The motion of the Special Master for allowance of fees and reimbursement of expenses is granted, and the Special Master is awarded a total of $40,808.96

	for the period October 20, 2008, through June 12, 2009, to be paid equally by the parties.
Feb 09 2010	First Interim Report of the Special Master filed
Mar 08 2010	The Report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days. Sur-replies, if any, with supporting briefs, may be filed within 30 days.
Apr 15 2010	Order extending time to file Exceptions to and including May 13, 2010. Reply Briefs, if any are now due June 15, 2010 and Sur-replies are due July 15, 2010.
May 13 2010	Montana's Exception and Brief to the First Interim Report of the Special Master Filed.
May 20 2010	Brief amicus curiae of Northern Cheyenne Tribe filed.
Jun 15 2010	Reply to Montana's Exception filed by Wyoming.
Jun 22 2010	Brief amicus curiae of United States filed.
Jun 22 2010	Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.
Jul 12 2010	Motion for allowance of fees and expenses filed by Special Master. (CL Page 163)
Jul 14 2010	Sur-Reply filed by Montana
Jul 21 2010	Exceptions DISTRIBUTED for Conference of September 27, 2010.
Jul 28 2010	Motion DISTRIBUTED for Conference of September 27, 2010.
Oct 04 2010	DISTRIBUTED for Conference of October 8, 2010.
Oct 12 2010	The motion of the Special Master for allowance of fees and reimbursement of expenses is granted, and the Special Master is awarded a total of $72,008.74 for the period June 13, 2009, through July 9, 2010, to be paid equally by the Montana and Wyoming. Justice Kagan took no part in the consideration or decision of this motion.
Oct 12 2010	The first exception to the Special Master's First Interim Report is set for oral argument in due course. The second exception is recommitted to the Special

	Master. Wyoming's motion to dismiss is denied. Justice Kagan took no part in the consideration or decision of these exceptions and this motion.
Oct 12 2010	Motion DISTRIBUTED for Conference of October 15, 2010.
Oct 18 2010	Montana's motion for partial summary judgment is granted in part and denied in part without prejudice in accordance with the Special Master's First Interim Report, and Anadarko Petroleum's motion for leave to intervene is denied. Justice Kagan took no part in the consideration or decision of these motions.
Nov 01 2010	Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. Justice Kagan took no part in the condsideration or decision of this motion.
Nov 08 2010	SET FOR ARGUMENT ON Monday, January 10, 2011.
Nov 12 2010	CIRCULATED.
Jan 11 2011	Argued. For plaintiff: Steve Bullock, Attorney General, Helena, Mont. For defendant Wyoming: Peter Kenneth Michael, Senior Assistant Attorney General, Wyo.; and William M. Jay, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as amicus curiae.)
May 02 2011	Exception overruled. Thomas, J., delivered the opinion of the Court, in which Roberts, C. J., and Kennedy, Ginsburg, Breyer, Alito, and Sotomayor, JJ., joined. Scalia, J., filed a dissenting opinion. Kagan, J., took no part in the consideration or decision of the case.
Sep 06 2013	Motion for allowance of fees and disbursements filed by Special Master.
Oct 02 2013	Motion DISTRIBUTED for Conference of October 18, 2013.
Oct 21 2013	The motion of the Special Master for allowance of fees and disbursements is granted, and the Special Master is awarded a total of $72,322.76 for the period May 19, 2011, through July 1, 2013, to be paid equally by Montana and Wyoming.
Dec 19 2014	Fourth Interim Motion for Allowance of Fees and Disbursements filed by Special Master.
Dec 29 2014	Second Interim Report of the Special Master filed
Jan 07 2015	Motion DISTRIBUTED for Conference of January 23, 2015.
Feb 09 2015	DISTRIBUTED for Conference of February 20, 2015.

Feb 23 2015	The Fourth Interim Motion of the Special Master for allowance of fees and disbursements is granted, and the Special Master is awarded a total of $201,104.90 for the period July 2, 2013, through April 30, 2014, to be paid equally by Montana and Wyoming.
Feb 23 2015	Report of the Special Master received and ordered filed. The Court notes that the Master has twice directed the parties to address whether the amount of damages at stake justifies further proceedings. The Master's Report and the submissions of the parties indicate that fees and expenses could well exceed any recovery. The parties are therefore directed to consider carefully whether it is appropriate for them to continue invoking the jurisdiction of this Court. See Arizona v. California, 373 U. S. 546, 564 (1963) ("[W]e are mindful of this Court's often expressed preference that, where possible, States settle their controversies by mutual accommodation and agreement." (internal quotation marks omitted)). The Special Master is encouraged to facilitate efforts to resolve the parties' dispute without the need for a damages proceeding, including by revisiting the arrangement for division of fees and expenses. Cf. Fed. Rule Civ. Proc. 68. If the parties elect to continue, exceptions to the Report, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days. Sur-replies, if any, with supporting briefs, may be filed within 30 days
Apr 09 2015	Montana's Exception and Brief filed.
Apr 09 2015	Wyoming's Exception to the Second Interim Report of the Special Master and Brief in Support filed.
May 07 2015	Reply to Montana's exception of respondent Wyoming filed.
May 11 2015	Montana's Reply Opposing the Exception of Wyoming.
Jun 03 2015	Sur-Reply in support of exception of respondent Wyoming filed.
Jun 10 2015	Sur-Reply of plaintiff Montana, in support of its exception filed.
Jul 08 2015	DISTRIBUTED for Conference of September 28, 2015.
Sep 02 2015	Motion to defer consideration filed by Montana, Plaintiff. (Distributed)
Sep 14 2015	Opposition to motion of respondent Wyoming filed.(Distributed)
Sep 16 2015	Reply of petitioner Montana, Plaintiff filed. (Distributed)
Oct 05 2015	The motion of Montana, to defer consideration of this case and the exceptions to the Special Master's Second Interim Report filed December 29, 2014 for a

	period of three months is granted. The parties are ordered to submit a joint status report to the Court no later than December 31, 2015.
Dec 23 2015	Joint Status Report Filed
Jan 06 2016	DISTRIBUTED for Conference of January 22, 2016.
Feb 08 2016	DISTRIBUTED for Conference of February 19, 2016.
Feb 29 2016	DISTRIBUTED for Conference of March 4, 2016.
Mar 14 2016	DISTRIBUTED for Conference of March 18, 2016.
Mar 21 2016	Order and Judgment issued on the Special Master's Second Interim Report. (Detached Opinion)
Jan 27 2017	Fifth Interim Motion of the Special Master for Allowance of Fees and Expenses
Feb 08 2017	DISTRIBUTED for Conference of February 24.
Feb 27 2017	The motion of the Special Master for allowance of fees and disbursements is granted, and the Special Master is awarded a total of $162,815.08 for the period May 1, 2014, through December 31, 2016, to be paid equally by Montana and Wyoming. Justice Kagan took no part in the consideration or decision of this motion.
Jan 10 2018	Final Report of the Special Master filed. **Main Document** **Proof of Service**
Jan 19 2018	Joint Letter to the Court filed. **Main Document**
Jan 31 2018	DISTRIBUTED for Conference of 2/16/2018.
Feb 20 2018	The Report of the Special Master is received and ordered filed. The proposed **Judgment and Decree** are entered. Justice Kagan took no part in the consideration or decision of this case.
Feb 20 2018	Final Motion of Special Master for Allowance of Fees and Disbursements filed by Special Master. **Main Document**
Mar 07 2018	DISTRIBUTED for Conference of 3/23/2018.

Mar 26 2018	Final Motion of Special Master for Allowance of Fees and Disbursements GRANTED and the Special Master is awarded a total of $51,984.57 for the period January 1, 2017 through January10, 2018, to be paid equally by Montana and Wyoming. Barton H. Thompson, of Stanford, California, the Special Master in this case, is hereby discharged with the thanks of the Court. Justice Kagan took no part in the consideration or decision of this motion.

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